UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/45/462
11 September 1990

ORIGINAL: ENGLISH

Forty-fifth session
Item 52 of the provisional agenda*

ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN SOUTH ASIA

Report of the Secretary-General

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* A/45/150 and Corr.1.

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I. INTRODUCTION

1. On 15 December 1989, the General Assembly adopted resolution 44/109, the operative part of which reads as follows:

> "The General Assembly
>
> "...
>
> "1. Reaffirms its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;
>
> "2. Urges once again the States of South Asia to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the mean time, from any action contrary to that objective;
>
> "3. Calls upon those nuclear-weapon States which have not done so to respond positively to this proposal and to extend the necessary co-operation in the efforts to establish a nuclear-weapon-free zone in South Asia;
>
> "4. Requests the Secretary-General to communicate with the States of the region and other concerned States in order to ascertain their views on the issue and to promote consultations among them with a view to exploring the best possibilities of furthering the efforts for the establishment of a nuclear-weapon-free zone in South Asia;
>
> "5. Also requests the Secretary-General to report on the subject to the General Assembly at its forty-fifth session;
>
> "6. Decides to include in the provisional agenda of its forty-fifth session the item entitled 'Establishment of a nuclear-weapon-free zone in South Asia'."

2. Pursuant to paragraphs 4 and 5 of the resolution, the Secretary-General submits herewith the replies thus far received. Other replies related to this item will be issued as addenda to this report.

II. REPLIES RECEIVED FROM GOVERNMENTS

MALDIVES

[Original: English]

[5 June 1990]

1. The Republic of Maldives reiterates its view that the establishment of nuclear-weapons-free zones and zones of peace would contribute substantially to

achieving the objective of non-proliferation of nuclear weapons, global nuclear disarmament, and general and complete disarmament. The Republic of Maldives attaches great importance to the creation of a nuclear-weapon-free zone in South Asia.

2. The Republic of Maldives believes that the establishment of zones of peace and nuclear-weapons-free zones will not only reduce tension, but also enhance stability, mutual trust, and confidence among States of the region. The concept of establishment of a nuclear-weapons-free zone in South Asia dates back to 1974 and resolution has been adopted with overwhelming majority in the successive sessions of the General Assembly.

3. The Republic of Maldives appreciates the efforts of the Secretary-General in soliciting the views of various countries of the region and other concerned States on the subject in accordance with the mandate given under paragraph 4 to General Assembly resolution 44/109. However, the Republic of Maldives views with concern that the number of States responding to the Secretary-General's request has not increased, while the resolution itself was voted in favour by an overwhelming majority of States.

4. The Republic of Maldives feels that tangible results cannot be achieved in view of such poor responses from States and suggests that efforts of the Secretary-General must now be directed towards the realization of the second part of paragraph 4 of resolution 44/109 namely, to promote consultations with and amongst various States with a view to exploring the best possibilities of furthering the effort for the establishment of a nuclear-weapons-free zone in South Asia. The Republic of Maldives feels that in order to generate consensus on this important subject, consultation among States of the region are of prime importance and a prerequisite.

5. Republic of Maldives also welcomed, in principle, the idea of convening a conference on the subject under the auspices of the United Nations. However, in view of the political realities of the region of South Asia, sufficient time and consultations are essential to narrow the differences of opinion that exist among the States of the region. The Republic of Maldives feels that it is still premature to consider specific proposals for a United Nations conference or proposals for the conclusion of bilateral or regional test-ban agreements in South Asia.

PAKISTAN

[Original: English]

[29 May 1990]

1. The substantive views and suggestions of the Government of Pakistan regarding the rationale, form, scope, undertakings of regional States and the nuclear powers, and the verification of arrangements relating to the creation of a Nuclear Weapon Free Zone in South Asia, were earlier submitted to the Secretary-General in 1986.

While submitting its views afresh, the Government of Pakistan hopes that these can be explored, developed and modified through consultations which may be initiated through the endeavours of the Secretary-General. In this context, Pakistan believes that the legitimate interests and views of all the regional States can be accommodated so long as their declared commitment to non-proliferation is sincere and genuine.

Rationale for the establishment of a nuclear-weapon-free zone in South Asia

2. Pakistan first proposed the creation of a nuclear-weapon-free zone in South Asia in 1974. The concept has been annually endorsed, in principle, by the General Assembly since its twenty-ninth session.

3. A nuclear-weapon-free zone in South Asia would help immensely to remove mutual fears and suspicions, reduce tensions, enhance peace and stability and promote the goals of regional amity and co-operation. It would also concretize the desire expressed by all regional States to keep South Asia free of nuclear weapons.

Scope

4. The nuclear-weapon-free zone in South Asia should include the seven States of South Asia, namely, Pakistan, India, Bangladesh, Nepal, Bhutan, Sri Lanka and Maldives. These seven States together constitute a distinct geographical entity. They are members of the South Asian Association for Regional Co-operation (SAARC). As the Declaration of the first SAARC Summit stated in December 1985:

> "They were bolstered in this venture by the recognition of the many commonalities that bound the seven countries of the region. These were rooted in their geography, shared history, traditions and above all human and spiritual values. Cultural cross currents and socio-economic interactions over centuries had shaped their attitudes and values, strengthened their common affinities and enhanced a sense of homogeneity, intimacy and interdependence among them. Regional cooperation was the only logical response to the common problems they faced as developing and non-aligned countries to the continuing pressure of rising expectations among their peoples and to the cognizance of the interdependent nature of the world they lived in."

5. The geographical limits of the zone should encompass the entire territory over which the seven South Asian States exercise sovereignty, including the land territory, the internal waters, the territorial sea, the sea-bed, the sub-soil beneath, and the air space above.

Legal form of a nuclear-weapon-free zone in South Asia

6. The nuclear-weapon-free zone in South Asia may be established on the basis of a legally-binding treaty to be registered with the United Nations. The South Asia Nuclear-Weapon-Free Zone Treaty would enter into force as soon as it is signed and ratified by all the regional States, and a legally-binding additional Protocol to the Treaty relating to the obligations of the nuclear-weapon States, is signed and ratified by all States possessing nuclear weapons.

Nature of undertakings by the regional States

7. Pakistan believes that the undertakings relating to a nuclear-weapon-free zone in South Asia should be comprehensive and equitable. The regional States should reaffirm their commitment not to acquire or manufacture nuclear weapons or any other nuclear explosive device. They should undertake (a) to use exclusively for peaceful purposes the nuclear materials and facilities which are under their jurisdiction and (b) to prohibit and prevent in their respective territories:

(i) Testing, development, manufacture, production and acquisition by any means whatsoever, or use of any nuclear weapon or nuclear explosive device;

(ii) Receipt, storage, installation, deployment or any form of possession of any nuclear weapon or nuclear explosive device.

Verification measures

8. The regional States should undertake to establish a control system for the purpose of verifying compliance with their obligations under the proposed arrangements for denuclearization. It would be necessary to establish an equitable and non-discriminatory system of verification and inspection. This could be done by evolving either (a) a permanent regional consultative mechanism, including provisions for a challenge verification régime with on-site inspection, or (b) arrangements among regional States for mutual inspection of nuclear facilities outside international safeguards, or (c) acceptance by the regional States of International Atomic Energy Agency safeguards on all nuclear facilities and fissionable nuclear materials. Verification provisions could be strengthened and made more acceptable through accompanying measures to promote mutual co-operation in the peaceful uses of nuclear technology for economic and social development.

Obligations of nuclear-weapon States

9. The five nuclear-weapon States have indicated their support for the establishment of nuclear-weapon-free zones in various parts of the world. Three nuclear powers, China, the United States of America and the United Kingdom of Great Britain and Northern Ireland, have supported the General Assembly resolutions endorsing the concept of a nuclear-weapon-free zone in South Asia. The other two nuclear-weapon States can also be expected to respond positively to an agreement among South Asian States on arrangements for a nuclear-weapon-free zone.

10. The relevant additional Protocol to the Treaty should contain legally-binding assurances from the nuclear weapon States not to use or threaten to use nuclear weapons against the States members of a South Asian nuclear-weapon-free zone. Moreover, the nuclear-weapon States should be required to undertake not to deploy nuclear weapons adjacent to the denuclearised zone and to remove such deployments if any already exist.

Consultations

11. Pakistan recognizes the need for prior agreement among the regional States on the nature and substance of a nuclear-weapon-free zone in South Asia. The Government of Pakistan is prepared to participate constructively in any consultations designed to evolve agreed arrangements for the permanent denuclearisation of the South Asian region. These consultations can be held in any State of the region. For its part, Pakistan would be happy to host a meeting to enter into such consultations under the aegis of the Secretary-General of the United Nations.

12. In 1987, Pakistan proposed the holding of an International Conference on Nuclear Non-Proliferation in South Asia and also offered to host the Conference. It was suggested that the Conference should be attended by the South Asian as well as the nuclear-weapon States. This would provide an opportunity to all the regional States for mutual consultations and a free exchange of views to concretize the proposal, to consult each other, air their apprehensions and discuss any problems they might foresee with regard to the proposed Nuclear-Weapon-Free Zone.

13. In 1987, Pakistan also offered to conclude a bilateral nuclear-test-ban agreement with India or a regional nuclear-test-ban agreement among South Asian States as a step towards the eventual total denuclearization of South Asia.

14. Unfortunately, no progress has been possible in the implementation of these proposals, mainly due to the opposition of a minority of the regional States of South Asia. The Government of Pakistan is of the view that the possibility of progress would be greatly enhanced if the Secretary-General would take the initiative of calling for consultations among the regional and interested non-regional States on this subject as proposed in the General Assembly resolutions.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/45/463
11 September 1990

ORIGINAL: ENGLISH

Forty-fifth session
Item 76 of the provisional agenda*

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 44/47 D of 8 December 1989.

2. The report includes the substance of responses from Member States and United Nations agencies to the appeal contained in that resolution, together with reference to further action taken by Member States and United Nations agencies in response to the appeal contained in General Assembly resolutions 32/90 F of 13 December 1977, 33/112 C of 18 December 1978, 34/52 C of 23 November 1979, 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987 and 43/57 D of 6 December 1988. By those resolutions, the Assembly appealed to all States, specialized agencies and non-governmental organizations to augment special allocations for scholarships and grants to Palestine refugees, and invited the relevant United Nations agencies to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students. The Assembly requested the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to act as recipient and trustee for such special allocations and scholarships and to award them to qualified refugee candidates.

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* A/45/150 and Corr.1.

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3. In 1989, the Government of Japan offered 15 training fellowships to UNRWA's vocational training instructors. Fourteen fellows were able to avail themselves of the offer and one from West Bank was unable to do so because she was denied an exit permit by the Israeli authorities. The fellowships, which apply to studies in Japan, are under the guidance of the Japan International Co-operation Agency (JICA). In the period 1985 to 1988 a total of 47 fellowships have been provided by the Government of Japan under this programme. The Government of Japan, in a new university scholarship programme, contributed $1 million to be spent over a period of five years. The programme is confined to Palestine refugee students from the occupied territory and in the first year, 1989/90, a total of 68 awards were made.

4. The Government of the Federal Republic of Germany awarded a total of 24 fellowships in the period 1981 to 1988 to Palestine refugee graduates of UNRWA vocational training centres. In 1989 a further nine scholarships were awarded and, up to the time of reporting, a further three were awarded in 1990, while others are pending.

5. In 1989 the Government of Kuwait offered two scholarships to Palestine refugees at the Arab Orphan Committee and two scholarships at the Arab Institute of Al-Quds University, both located in the occupied territory. The scholarships are for study at Kuwaiti educational institutions.

6. The Government of Switzerland granted $180,000 in 1989 for the provision of university scholarships to Palestine refugee students. In the year 1989/90 a total of 48 scholarship awards were made under this programme.

7. The World Intellectual Property Organization (WIPO) followed up its award of 13 fellowships in the period 1980 to 1988 with the offer of a further award in 1989.

8. The International Maritime Organization (IMO), under its Project RAB/84/028-Arab Maritime Transport Academy (AMTA) located at Sharjah, United Arab Emirates, has, since its inception in 1981, trained more than 290 Palestinians. It is the intention of IMO to continue to provide such assistance to personnel of the Arab States, including Palestinians, through the Academy (of which PLO is a member). The Academy in the meantime has become the Regional Maritime Academy for Arab States with branches in Sharjah and Alexandria. IMO expects that suitably qualified Palestinians will benefit from both branches of the Academy.

9. The United Nations Educational, Scientific and Cultural Organization (UNESCO), as part of its long-standing agreement with UNRWA, granted 58 fellowships to Palestine refugee education staff of UNRWA in the period 1981 to 1988. In 1989 two fellowships were awarded.

10. During 1989, the Food and Agriculture Organization of the United Nations (FAO) continued within its sphere of competence to extend assistance for higher education to Palestine refugee students through its project "Specialized Training in Agricultural Development" under which three Palestinian fellows continued their studies since 1986 for post-graduate degrees in Agricultural Economics and Animal Production. Two successfully completed their studies in 1989. FAO also provided

technical expertise to the Al-Quds Open University in 1988 in the techniques and practices of distance education and in the elaboration of curricula and programmes related to land and community development. In 1989, a two-man consultancy mission was sent to Amman to prepare a report on Educational Technology Development Communication and Audio-Visual Equipment.

11. The Universal Postal Union (UPU) is, in the period 1986-1994, providing four-year scholarships to two Palestinians for further training in the postal field. This follows the granting of two scholarships for four-year terms under which two Palestinian students were trained at the Arab Higher Postal Institute in Damascus from 1979-1983. In 1989, UPU awarded a 12-month scholarship at the Arab Higher Postal Institute in Damascus to a Palestinian student.

12. The World Health Organization (WHO), in a post-graduate training programme aimed at developing the technical and managerial skills of the staff of UNRWA's Department of Health, and meeting future replacement needs under the various health disciplines, awarded nine regional and international fellowships to Palestine refugee health staff of UNRWA in 1989. This was further reinforced by the award of three short-term courses to upgrade the qualifications of staff in certain areas. This followed the award of nine fellowships in 1988, eight in 1987 and five in 1986.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/45/464
11 September 1990

ORIGINAL: ENGLISH

Forty-fifth session
Item 76 of the provisional agenda*

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Palestine refugees in the Palestinian territory occupied by Israel since 1967

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 44/47 E of 8 December 1989, the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Strongly reiterates its demand that Israel desist from the removal and resettlement of Palestine refugees in the Palestinian territory occupied by Israel since 1967 and from the destruction of their shelters;

"2. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to address the acute situation of the Palestine refugees in the Palestinian territory occupied by Israel since 1967 and accordingly to extend all the services of the Agency to those refugees;

"3. Requests the Secretary-General, in co-operation with the Commissioner-General, to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory,

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* A/45/150 and Corr.1.

irrespective of whether or not they are recipients of rations and services of the Agency;

"4. Requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly, before the opening of its forty-fifth session, on the implementation of the present resolution and in particular on Israel's compliance with paragraph 1 above."

2. On 28 February 1990, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 29 June 1990, the Permanent Representative of Israel replied as follows:

"Israel's position on this resolution has been set forth in successive annual replies submitted to the Secretary-General in recent years. The report of the Secretary-General A/44/608 dated 6 October 1989, contained the latest of these replies. In addition, Israel's representative to the Special Political Committee reiterated Israel's position during his statement dated 27 October 1989 (A/SPC/44/SR.8).

"This resolution is unbalanced and distorted in that its sponsors intentionally ignore the improved living conditions in the Gaza District since 1967. Resolution 44/47 E does not mention the considerable increase of pupils attending school in the Gaza District since 1967, nor does it mention the significant drop in the illiteracy rate among inhabitants in the Gaza District since that year. Furthermore, it does not mention the extensive development of medical care or the improvement of environmental services - including water supply, sewage and refuge (sic) disposal. By conveniently omitting these facts, the sponsors of resolution 44/47 E continue in their approach to perpetuate the refugee problem and the refugees' living conditions in Gaza.

"Nothing can be more indicative of this approach than this resolution's condemnation of refugee rehabilitation projects. Since 1967, Israel has initiated community development projects in the Gaza District enabling some 20,000 families, approximately 150,000 persons to leave the refugee camps on a voluntary basis and relocate to nearby residential areas. This figure represents over one third of the total refugee population in Gaza. Israel's vital role in planning and implementing these housing projects has been recognized by both the Secretary-General and the High Commissioner of UNRWA in their respective reports (A/40/613 and A/40/13).

"Furthermore, the resolution's request of the Secretary-General to resume issuing identity cards irrespective of the refugees' need for them is yet another indication of the resolutions' patent political bias.

"Notwithstanding subversive efforts to the contrary, Israel is determined to pursue the humanitarian task of improving the living conditions of the refugees through projects such as the refugee housing programs. Israel will welcome all assistance on behalf of the international community intended to improve the refugees' living conditions."

4. The following information concerning Israel's compliance with General Assembly resolution 44/47 E is based on reports from the Commissioner-General of UNRWA.

5. In the Gaza Strip as well as the West Bank, refugee shelters have been demolished and sealed on punitive grounds by the Israeli authorities. The matter is dealt with in detail in the Commissioner-General's annual report to the General Assembly. 1/

6. The Agency is following up with the Israeli authorities the rehousing of refugees who remain affected by the demolitions in 1971 in the Gaza Strip. Paragraph 6 of last year's report (A/44/608) referred to the status of 87 families categorized as living in hardship conditions. The situation on 30 June 1990 remains the same: of these 87 families, 13 continue to live in conditions of hardship, 19 remain unsatisfactorily housed, 37 are satisfactorily housed, and 18 had previously purchased houses in projects sponsored by the Israeli authorities. The situation of the 13 families living in conditions of hardship has been checked several times during the reporting period. Despite repeated assurances by the Israeli authorities that they will be rehoused, very little progress has been made. The authorities have assured the Agency that a solution has been developed and would be implemented as soon as possible.

7. During the reporting period, the Commissioner-General obtained the following information relating to refugee shelters demolished by the Israeli authorities in the Gaza Strip on the grounds that they had been built without proper authority on State land outside camp boundaries:

(a) In paragraph 7 (a) of last year's report (A/44/608), it was stated that the Israeli authorities told several families living on the northern perimeter of Jabalia Camp to remove some of their shelter extensions and that these families had taken the matter to the High Court of Israel, which had ruled against them. No demolitions have taken place so far, although the shelters have been isolated by bulldozing of sand around their premises. The Israeli authorities are understood to have had discussions with some members of this group;

(b) Of the 35 families whose shelters on the perimeter of Beach Camp were demolished in 1983 (see A/41/564, para. 7 (b)), 18 families have received plots of land at Sheikh Radwan or the Beit Lahiya housing projects. One family bought a vacant shelter in Beach Camp; three families have moved in with relatives in Jabalia Camp. One family has moved in temporarily with a relative in Beach Camp; two families have moved in with relatives living on the site of the demolished shelters. The remaining 10 families are living in temporary shelters built by themselves on or near the same site. One family out of these 13 special hardship cases has moved to Jabalia Camp to live with a son. The Israeli authorities have stated that they would be willing to consider allocating land in a housing project

for the families who have not been rehoused, but that it would not be at Sheikh Radwan which is the project nearest the site.

(c) Four privately-built rooms located beyond the perimeter of Rafah Camp were demolished.

8. Paragraph 8 of last year's report (A/44/608) referred to some refugee families in Block Q at the Rafah camp in the Gaza Strip who, at the instance of the Israeli authorities, had agreed to relocate to the Tel-es-Sultan housing project. As at 30 June 1990, 45 families had moved to Tel-es-Sultan. Some families, however, still remain in their shelters, of which 13 are isolated by sand ramparts.

9. During the reporting period, no new plots of land in housing projects in the Gaza Strip were allocated by the Israeli authorities for refugees living in camps. No new movements took place from camps to housing projects. Thirty-two plots of land have been allocated to families who were chosen to be the first families to return from the so-called Canada Camp, Rafah - Sinai, and to be settled in the Tel-es-Sultan housing project. During the reporting period, 32 heads of families crossed the Egyptian-Israeli border to the Gaza Strip in order to supervise the construction of the houses in Tel-es-Sultan. In addition, 31 refugee families comprising 151 persons have returned from the so-called Canada Camp to the Gaza Strip. Accommodation was provided by their relatives.

10. The Israeli authorities, according to information available to the Commissioner-General, have to date allocated approximately 3,914 plots of land in the Gaza Strip for housing projects. A total of 2,605 plots have been built on by 3,714 refugee families comprising 22,946 persons, buildings on 236 plots are under construction, 936 plots are still vacant and 137 have been built on by non-refugee families. In addition, 3,034 refugee families, consisting of 18,823 persons, have moved into 2,666 completed housing units consisting of 5,893 rooms.

11. Refugee families are continuing to purchase plots of land at subsidized rates for the construction of houses in the projects developed by the Israeli authorities in the Beit Lahiya, Nazleh and Tel-es-Sultan areas. The construction of multi-storey apartment blocks in Sheikh Radwan, sponsored by the Israeli authorities and offered for sale upon completion, as reported last year (A/44/608, para. 12), continues, but the process has slowed down considerably due to the prevailing situation.

12. With regard to the request addressed to the Commissioner-General in paragraph 2 of resolution 44/47 E, the Commissioner-General advises that since 1988 and in addition to its normal services, the Agency has been providing emergency food, medical and other assistance to those in need in the occupied territory. The Agency has also begun a longer-term programme to upgrade infrastructure, especially in the camps, and to improve economic and social conditions. These programmes are discussed in detail in the recent reports of the Commissioner-General. 2/

13. The Secretary-General regrets that he is unable at present to comply with the request addressed to him in paragraph 3 of the resolution. Under an arrangement that has been followed for 40 years, all refugee families registered with UNRWA are

in possession of registration cards issued by the Agency. While these cards indicate the number of family members and whether they are eligible for services, they are not identification cards and have a much more limited purpose. The Commissioner-General of UNRWA has pointed out that the Agency issues a registration card reflecting data about the refugee family concerned, which is entered on the registration roll at the time of registration. While the need for documentation, such as is required in the resolution, is appreciated, the Commissioner-General does not have the means to issue identity cards as such. He will, however, keep the situation under review to see whether appropriate documentation regarding the registration status of individual members of refugee families could be issued.

Notes

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 (A/45/13), chap. VII, sect. B.

2/ Official Records of the General Assembly, Forty-third Session, Supplement No. 13 (A/43/13), chap. II, sect. B; ibid., Forty-fourth Session, Supplement No. 13 (A/44/13), chap. VI, sects. C and D, and ibid., Forty-fifth Session, Supplement No. 13, (A/45/13), chap. VI, sects. C and D.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/45/465
8 September 1990

ORIGINAL: ENGLISH

Forty-fifth session
Item 76 of the provisional agenda*

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Resumption of ration distribution to Palestine refugees

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 44/47 F of 8 December 1989, in which the Assembly expressed regret that its resolutions 37/120 F, 38/83 F, 39/99 F, 40/165 F, 41/69 F, 42/69 F and 43/57 F have not been implemented; called once again upon all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to Palestine refugees in all fields, and therefore urged non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions; requested the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields; and requested the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

2. The Agency has continued to distribute rations to the most needy sector of the refugee population, special hardship cases, who numbered 146,271 persons in December 1989.

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* A/45/150 and Corr.1.

3. In Lebanon two emergency distributions, including commodities such as flour, sugar, skim milk and corned beef, were made in 1989 to about 203,000 refugees. In the Gaza Strip and West Bank approximately 20,000 tons of food commodities were distributed to needy families in 1989. The Agency expects to take measures to distribute food in all three areas as long as the emergency need remains and supplies are available.

4. Given the lack of additional resources, it has not been possible for the Commissioner-General to consider resumption of general distribution of basic food rations to all refugees.

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General Assembly

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GENERAL

A/45/466
8 September 1990

ORIGINAL: ENGLISH

Forty-fifth session
Item 76 of the provisional agenda*

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Return of population and refugees displaced since 1967

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of paragraph 5 of its resolution 44/47 G of 8 December 1989, entitled "Return of population and refugees displaced since 1967", the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Reaffirms the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967, and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right to return by any displaced person is inconsistent with that inalienable right and is inadmissible;

"2. Considers any and all agreements embodying any restriction on, or condition for, the return of the displaced inhabitants as null and void;

"3. Strongly deplores the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

"4. Calls once more upon Israel:

"(a) To take immediate steps for the return of all displaced inhabitants;

"(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

"5. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its forty-fifth session on Israel's compliance with paragraph 4 above."

2. On 28 February 1990, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any steps his Government had taken or envisaged to take in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 29 June 1990, the Permanent Representative of Israel replied as follows:

"Israel's position on this resolution has been detailed fully in successive annual replies submitted to the Secretary-General in recent years. The report of the Secretary-General A/44/507 dated 12 September 1989, contained the latest of these replies.

"The Government of Israel has continued to make every effort possible to review individual cases of resettlement based upon the merits of each case. As a result, the total number of persons that have returned to the administered territories is approximately 76,750."

4. In connection with paragraph 4 (a) of General Assembly resolution 44/47 G, the Secretary-General has obtained from the Commissioner-General of UNRWA the information available to him on the return of refugees registered with the Agency. As indicated in previous reports on the subject, the Agency is not involved in any arrangements for the return of refugees nor is it involved in any arrangements for the return of displaced persons who are not registered as refugees. Its information is based on requests by returning registered refugees for transfer of their entitlements for services to the areas to which they have returned and subsequent correction of records. The Agency would not necessarily be aware of the return of any registered refugees who did not request the provision of services. So far as is known to the Agency, between 1 July 1989 and 30 June 1990, 188 refugees registered with UNRWA returned to the West Bank and 25 to the Gaza Strip. It should be noted that some of these may not themselves have been displaced in 1967, but may be members of the family of a displaced registered refugee whom they accompanied on his return or joined thereafter. Thus, taking into account the estimate given in paragraph 4 of last year's report (A/44/507), the number of displaced registered refugees who are known by the Agency to have returned to the occupied territory since June 1967 is about 11,700. The Agency is unable to estimate the total number of displaced inhabitants who have returned. It keeps records only of registered refugees and, as pointed out above, even those records, particularly with respect to location of registered refugees, may be incomplete.

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General Assembly Security Council

Distr.
GENERAL

A/45/467
S/21673
29 August 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Items 71, 142 and 144 of the
provisional agenda*
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY
DEVELOPMENT AND STRENGTHENING OF
GOOD-NEIGHBOURLINESS BETWEEN STATES
PEACEFUL SETTLEMENT OF DISPUTES
BETWEEEN STATES

SECURITY COUNCIL
Forty-fifth year

Letter dated 29 August 1990 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I hereby have the honour to inform Your Excellency of the decision of the Government of Japan of 29 August 1990 to provide emergency aid totalling $10 million as a fund for evacuee relief activities in Jordan, in response to the request of the Office of the United Nations Disaster Relief Co-ordinator and the International Committee of the Red Cross and to extend 98 million yen in material assistance to the Government of Jordan. This decision has been made from a humanitarian standpoint and in keeping with Japan's diplomatic policy of providing assistance to Jordan, which is experiencing economic difficulties arising from the economic sanctions against Iraq implemented on the basis of United Nations Security Council resolution 661 (1990). In making this decision, Japan hopes to contribute positively to peace and security in the Middle East.

An outline of this decision is attached hereto for your reference (see annex).

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* A/45/150 and Corr.1.

I should be grateful if you would arrange for the text of the present letter and its annex to be circulated as a document of the General Assembly, under items 71, 142 and 144 of the provisional agenda, and of the Security Council.

(Signed) Yoshio HATANO
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative of Japan
to the United Nations

ANNEX

Emergency aid for evacuees in Jordan
(Outline)

On 29 August, in response to international appeals by the Office of the United Nations Disaster Relief Co-ordinator (UNDRO) and the International Committee of the Red Cross (ICRC) for $17,850,000 in aid, the Government of Japan decided to provide emergency assistance totalling $10 million as a fund for evacuee relief activities in Jordan. Of this total, $8 million are to be channelled through UNDRO to various international organizations and $2 million are to be allocated to ICRC. In addition, in response to the request of the Government of Jordan, the Japanese Government has decided to provide it with assistance, (pharmaceuticals, tents and blankets) worth 98 million yen, through the Japan International Cooperation Agency. These measures will be taken from a humanitarian standpoint and as part of Japan's diplomatic policy of assisting Jordan, which is experiencing economic difficulties arising from the economic sanctions against Iraq implemented on the basis of United Nations Security Council resolution 661 (1990). In taking these measures, Japan hopes to make a positive contribution to peace and security in the Middle East.

UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/45/468
S/21675
29 August 1990
ENGLISH
ORIGINAL: FRENCH AND RUSSIAN

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the provisional agenda*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 28 August 1990 from the Permanent Representatives of France and the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General

We have the honour to transmit to you herewith the text of the Franco-Soviet declaration on the crisis in the Gulf, issued at Moscow on 26 August 1990 on the completion of the visit to the USSR of Mr. Roland Dumas, Minister of State and Minister for Foreign Affairs of the French Republic.

We should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 35 of the provisional agenda, and of the Security Council.

(Signed) Yuliy M. VORONTSOV
Permanent Representative of the
Union of Soviet Socialist Republics
to the United Nations

(Signed) Pierre-Louis BLANC
Permanent Representative of
France to the United Nations

* A/45/150 and Corr.1.

ANNEX

Franco-Soviet declaration of 26 August 1990 concerning the crisis in the Persian Gulf

The USSR and France, deeply concerned by the crisis resulting from the Iraqi aggression against Kuwait, a sovereign and independent State, welcome the adoption by the Security Council of its resolution 665 (1990) which has the purpose of ensuring strict implementation of the sanctions imposed on Iraq. This decision provides further evidence of the consensus of the permanent members of the Security Council and the international community to bring to an end as rapidly as possible a situation that constitutes a flagrant violation of the principles governing relations among States and a serious blow to international peace and security.

The two parties confirm their respect for the principle of collective action carried out in conformity with the Charter of the United Nations with a view to achieving a political settlement of the crisis based on the withdrawal of the Iraqi forces from Kuwait and the restoration of the sovereignty of that country.

Voicing their profound alarm at the situation of foreign nationals detained in Iraq and Kuwait in contempt of obligations arising out of international legality and human rights, the two ministers reaffirm the demand made by the Security Council that Iraq must permit them to return, freely and without delay, to their countries of origin. They request Iraq to refrain from any action that might impede the functioning of diplomatic and consular missions in Kuwait and impinge upon the status and well-being of their personnel.

The USSR and France urge Iraq to show realism and reason by complying with the will of the international community as expressed in the resclutions adopted by the Security Council on the crisis in the Gulf.

The two parties declared their conviction that this crisis once again highlights the urgent need for more intensive efforts to be made for the resolution of other crisis situations in the Near East and, in particular, of the question of Palestine. They renew their support for pan-Arab action for the resolution of the Lebanese crisis.

The USSR and France will continue their close co-operation on developments in the situation in the Gulf.

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/45/469
13 September 1990
ENGLISH
ORIGINAL: ARABIC/CHINESE/ENGLISH/
FRENCH/RUSSIAN/SPANISH

Forty-fifth session
Item 147 of the provisional agenda*

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-SECOND SESSION

Draft articles adopted by the International Law Commission on topics considered at its forty-second session

Note by the Secretary-General

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* A/45/150 and Corr.1.

I. INTRODUCTION

1. The International Law Commission, established in pursuance of General Assembly resolution 174 (II) of 21 November 1947, in accordance with its Statute annexed thereto, as subsequently amended, held its forty-second session at its permanent seat at the United Nations Office at Geneva from 1 May to 20 July 1990.

2. The Commission's agenda for its forty-second session consisted of the following items:

1. Organization of work of the session.
2. Filling of a casual vacancy in the Commission (art. 11 of the Statute).
3. State responsibility.
4. Jurisdictional immunities of States and their property.
5. Draft Code of Crimes against the Peace and Security of Mankind.
6. The law of the non-navigational uses of international watercourses.
7. International liability for injurious consequences arising out of acts not prohibited by international law.
8. Relations between States and international organizations (second part of the topic).
9. Programme, procedures and working methods of the Commission, and its documentation.
10. Co-operation with other bodies.
11. Date and place of the forty-third session.
12. Other business.

3. The work of the Commission during its forty-second session is described in its report to the General Assembly. 1/ Chapter I of the report is entitled "Introduction". Chapter II of the report concerns the topic "Draft Code of Crimes against the Peace and Security of Mankind". Chapter III relates to the topic "Jurisdictional immunities of States and their property". Chapter IV is devoted to the topic "The law of the non-navigational uses of international watercourses". Chapter V concerns the topic "State responsibility". Chapter VI relates to the topic "Relations between States and international organizations (second part of the topic)". Chapter VII concerns the topic "International liability for injurious consequences arising out of acts not prohibited by international law". Chapter VIII deals with matters relating to the programme, procedures and working methods of the Commission and its documentation, as well as co-operation with other bodies, and also refers to certain administrative and other matters.

/...

II. DRAFT ARTICLES ON THE DRAFT CODE OF CRIMES AGAINST THE PEACE AND SECURITY OF MANKIND

CHAPTER II

ACTS CONSTITUTING CRIMES AGAINST THE PEACE AND SECURITY OF MANKIND

Part I. Crimes against peace

...

Article 16

International terrorism

1. The undertaking, organizing, assisting, financing, encouraging or tolerating by the agents or representatives of a State of acts against another State directed at persons or property and of such a nature as to create a state of terror in the minds of public figures, groups of persons or the general public.

2. The participation by individuals other than agents or representatives of a State in the commission of any of the acts referred to in paragraph 1. 2/

Article 18 3/

Recruitment, use, financing and training of mercenaries

1. The recruitment, use, financing or training of mercenaries by agents or representatives of a State for activities directed against another State or for the purpose of opposing the legitimate exercise of the inalienable right of peoples to self-determination as recognized under international law.

2. A mercenary is any person who:

(a) Is specially recruited locally or abroad in order to fight in an armed conflict;

(b) Is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised by or on behalf of a party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar rank and functions in the armed forces of that party;

(c) Is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict;

(d) Is not a member of the armed forces of a party to the conflict; and

(e) Has not been sent by a State which is not a party to the conflict on official duty as a member of its armed forces.

3. A merceneary is also any person who, in any other situtation:

(a) Is specially recruited locally or abroad for the purpose of participating in a concerted act of violence aimed at:

(i) Overthrowing a Government or otherwise undermining the constitutional order of a State; or

(ii) Undermining the territorial integrity of a State;

(b) Is motivated to take part therein essentially by the desire for significant private gain and is prompted by the promise or payment of material compensation;

(c) Is neither a national nor a resident of the State against which such an act is directed;

(d) Has not been sent by a State on official duty; and

(e) Is not a member of the armed forces of the State on whose territory the act is undertaken.

Article X 4/

Illicit traffic in narcotic drugs

1. The undertaking, organizing, facilitating, financing or encouraging, by the agents or representatives of a State, or by other individuals, of illicit traffic in narcotic drugs on a large scale, whether within the confines of a State or in a transboundary context.

2. For the purposes of paragraph 1, facilitating or encouraging illicit traffic in narcotic drugs shall include the acquisition, holding, conversion or transfer of property by a person who knows that such property is derived from the crime described in the present article in order to conceal or disguise the illicit origin of the property.

3. Illicit traffic in narcotic drugs means any production, manufacture, extraction, preparation, offering, offering for sale, distribution, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation or exportation of any narcotic drug or any psychotropic substance contrary to internal or international law.

III. DRAFT ARTICLES ON THE LAW OF THE NON-NAVIGATIONAL USES OF INTERNATIONAL WATERCOURSES

PART IV

PROTECTION AND PRESERVATION

Article 22

Protection and preservation of ecosystems

Watercourse States shall, individually or jointly, protect and preserve the ecosystems of international watercourse[s] [systems].

Article 23

Prevention, reduction and control of pollution

1. For the purposes of the present draft articles, "pollution of an international watercourse [system]" means any detrimental alteration in the composition or quality of the waters of an international watercourse [system] which results directly or indirectly from human conduct. 5/

2. Watercourse States shall, individually or jointly, prevent, reduce and control pollution of an international watercourse [system] that may cause appreciable harm to other watercourse States or to their environment, including harm to human health or safety, to the use of the waters for any beneficial purpose or to the living resources of the international watercourse [system]. Watercourse States shall take steps to harmonize their policies in this connection.

3. Watercourse States shall, at the request of any of them, consult with a view to establishing lists of substances, the introduction of which into the waters of an international watercourse [system] is to be prohibited, limited, investigated or monitored.

Article 24

Introduction of alien or new species

Watercourse States shall take all measures necessary to prevent the introduction of species, alien or new, into an international watercourse [system] which may have effects detrimental to the ecosystem of the international watercourse [system] resulting in appreciable harm to other watercourse States.

Article 25

Protection and preservation of the marine environment

Watercourse States shall, individually or jointly, take all measures with respect to an international watercourse [system] that are necessary to protect and preserve the marine environment, including estuaries, taking into account generally accepted international rules and standards.

PART V

HARMFUL CONDITIONS AND EMERGENCY SITUATIONS

Article 26

Prevention and mitigation of harmful conditions

Watercourse States shall, individually or jointly, take all appropriate measures to prevent or mitigate conditions that may be harmful to other watercourse States, whether resulting from natural causes or human conduct, such as flood or ice conditions, water-borne diseases, siltation, erosion, salt-water intrusion, drought or desertification.

Article 27

Emergency situations

1. For the purposes of the present draft article, "emergency" means a situation that causes, or poses an imminent threat of causing, serious harm to watercourse States or other States and that results suddenly from natural causes, such as floods, the breaking up of ice, landslides or earthquakes, or from human conduct, as for example in the case of industrial accidents. 6/

2. A watercourse State shall, without delay and by the most expeditious means available, notify other potentially affected States and competent international organizations of any emergency originating within its territory.

3. A watercourse State within whose territory an emergency originates shall, in co-operation with potentially affected States and, where appropriate, competent international organizations, immediately take all practicable measures necessitated by the circumstances to prevent, mitigate and eliminate harmful effects of the emergency.

4. When necessary, watercourse States shall jointly develop contingency plans for responding to emergencies in co-operation, where appropriate, with other potentially affected States and competent international organizations.

Notes

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 10 (A/45/10).

2/ Paragraph 2 will be reviewed in the light of the provisions on complicity and on crimes against humanity which will be examined by the Commission at a later stage.

3/ For an explanation of the numbering of the article, see ibid., paras. 89 to 92.

4/ The Commission provisionally decided that this article should appear in the Part of Chapter II of the draft Code devoted to crimes agianst humanity (see ibid., footnote 68).

5/ This paragraph which deals with the definition of pollution may be moved up to article 1 on [Use of terms].

6/ This paragraph which deals with the definition of emergency may be moved up to article 1 on [Use of terms].

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/45/470
15 October 1990

ORIGINAL: ENGLISH

Forty-fifth session
Agenda item 92

IMPLEMENTATION OF THE WORLD PROGRAMME OF ACTION CONCERNING DISABLED PERSONS AND THE UNITED NATIONS DECADE OF DISABLED PERSONS

Feasibility study on alternative ways to mark the end of the United Nations Decade of Disabled Persons

Report of the Secretary-General

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I. INTRODUCTION

1. In paragraph 8 of its resolution 43/98 of 8 December 1988, the General Assembly requested the Secretary-General to conduct a feasibility study on the substantive, financial and administrative implications of alternative ways to mark the end of the United Nations Decade of Disabled Persons in 1992, including a review of the global progress achieved and obstacles encountered during the Decade, and a mechanism for preparing the actions needed until the year 2000 and beyond. It also requested that the study be submitted to the General Assembly at its forty-fifth session.

2. Subsequently, the Secretary-General, with the generous support of the Government of Finland, convened a meeting of experts, held at Järvenpää, Finland, from 7 to 11 May 1990 to advise him on the preparation of the feasibility study. The Secretary-General also took into consideration, in the documentation and discussions at the meeting, views expressed by Member States and bodies of the United Nations system put forward in responses to his note verbale and letters transmitting General Assembly resolution 43/98.

3. The present report, together with the recommendations of the meeting of experts constitute the mandated feasibility study. The report also singles out some of the main recommendations made by the meeting of experts that have appeared in earlier reports but still remain of crucial importance.

4. A detailed agenda for action (1990-1993) at the national, regional and international levels is presented in section III and a preliminary outline of a long-term strategy to the year 2000 and beyond appears in section IV. Both are also based on the recommendations of the meeting of experts and provide additional background information to the recommendations being presented to the Assembly.

II. PRINCIPAL RECOMMENDATIONS

5. A careful review of the available information and views shows that the Decade has resulted in many significant initiatives to raise global awareness and improve the quality of life for people with disabilities. However, increased efforts are needed to turn awareness into action to arrive at positive changes enabling equal opportunities and full integration of disabled persons in society.

6. Equalization of opportunities is one of the major objectives of social welfare policies, and enables people to use their own potentials, thereby increasing the human capital available for development efforts. "A society for all", while investing in efforts to accommodate all individual differences, strengthens its developmental potential. Priority should be given to disability issues, which must be reconsidered within the broader overall context of the social dimension of development.

7. In order to achieve the objectives of the World Programme of Action concerning Disabled Persons (A/37/351/Add.1 and Add.1/Corr.1, annex, sect. VIII,

recommendation 1 (IV)), additional and adequate resources should be made available at all levels to initiate concrete action of direct benefit to people with disabilities.

8. In view of the severe decline in the number of existing national committees, from 147 in 1981 to only 70 by 1987, and the reported weakening of their co-ordinating role, a national evaluation of progress achieved and obstacles encountered should be undertaken by each Member State to review the effectiveness of existing plans, policies, programmes and legislation for disabled persons and to suggest innovative measures for future actions. A major role should be played by national co-ordinating mechanisms, for which there is an urgent need for revitalization in order to provide an institutional framework for designing national policies (see annex I, paras. 9-11 and 26-28).

9. Member States are encouraged to support the international awareness and fund-raising campaign known as the "Global Project" to promote the United Nations Decade of Disabled Persons (annex I, para. 8).

10. National, regional and international agendas for action during 1990-1993 should be prepared by Member States, regional commissions and specialized agencies, respectively. The main objectives would be to promote greater awareness on disability issues and to enhance the quality of life of disabled persons at the grass-roots level (annex I, paras. 33-36).

11. In conjunction with the second round of monitoring of the implementation of the World Programme of Action at the end of the Decade, examples of good practice should be distributed as a joint system-wide publication of the United Nations (annex I, para. 12).

12. The central message of the World Programme of Action should be made more accessible to all by producing a shortened and simplified version in pamphlet form (annex I, paras. 3-6).

13. The following continuing concerns in the field of disability, which should be considered in the context of a comprehensive social development approach, are still valid and require continued attention:

(a) Action promoting the full integration of the needs, rights and concerns of disabled persons into planning and decision-making at all levels (annex I, paras. 14-17);

(b) Development of comprehensive national legislation should be supported by efforts to prepare an international legal instrument such as standard rules on the equalization of opportunities for disabled persons (annex I, paras. 29-32);

(c) Taking into account the circumstances of each country, priority should be given to such measures that promote and support the world-wide concept of independent living of people with disabilities (annex I, paras. 18-23);

(d) Disabled persons and their organizations should be recognized and involved in decision-making as equal partners and as an invaluable source of special expertise (annex I, paras. 37-41);

(e) Increased efforts should be encouraged at all levels to guarantee full accessibility of disabled persons to buildings, meetings and information (annex I, paras. 41 and 42);

(f) Increased efforts should be made to address specific needs of disabled women and children, as well as deaf persons, persons with mental disabilities and people with multiple disabilities (annex I, paras. 44-47);

(g) In view of prolonged economic stagnation or decline in many developing countries and its effect on the vulnerable population groups, effective measures to improve the situation of disabled persons should be implemented in multilateral and bilateral development co-operation programmes (annex I, paras. 48-52);

(h) The end-years of the Decade should be marked by activities that would ensure high visibility of disability issues and, additionally, would provide an optimistic and active transition to the years beyond the Decade (annex I, paras. 53-63).

14. As a major activity to mark the end of the Decade, the General Assembly may wish to consider the proposal of the meeting of experts for a ministerial-level world conference to be convened subject to identification of a host country that would meet the full costs of the meeting. In view of a number of international events already scheduled for 1992, such a conference should be convened in 1993 (annex I, paras. 55 and 56). The purpose of the conference would be to adopt a long-term strategy with the theme "A society for all by the year 2010". The experts also proposed that, should extrabudgetary funds be made available, the appointment of a Secretary-General or chairman of the organizing committee for the conference, who could be a disabled person, should be considered (annex I, paras. 57 and 59). The conference would be prepared through regional activities in 1992, which would provide substantive input for the long-term strategy to adequately reflect the different needs and options of each region (annex I, para. 58). The experts also proposed that an institutional framework for the implementation of a long-term strategy following the Decade should be designed (annex I, para. 6).

15. It is recognized that the marking of the end of the Decade, as well as implementation of the long-term strategy until the year 2000 and beyond, would require a number of undertakings on the part of the United Nations. The Secretary-General intends to formulate plans for those activities within the context of biennial programme budgets, subject to any guidance the Assembly may provide.

III. AGENDA FOR ACTION UNTIL THE END OF THE UNITED NATIONS DECADE OF DISABLED PERSONS AND BEYOND

A. Introduction

16. The following suggested agenda for action, 1990-1993, reflects the recommendations made in the report of the meeting of experts held at Järvenpää, Finland, from 7 to 11 May 1990, to advise the Secretary-General on issues and proposals to be included in the feasibility study on alternative ways to mark the end of the United Nations Decade of Disabled Persons. It also includes views expressed by Member States, organizations of the United Nations system, intergovernmental and non-governmental organizations.

B. Revitalizing the Decade

17. The major achievement of the Decade has been an expansion of knowledge and world-wide increased awareness on disability. While some concrete progress has been made, the international community, particularly the organizations of disabled persons, have advocated that an increased impetus be given to the Decade. During its remaining years, well-focused action at all levels is therefore needed to make a real and lasting impact.

1. Renewed efforts to disseminate the World Programme of Action

18. Since the World Programme of Action reflects the basic goals and programmes of the international community, and since it provides a sound basis for policy development and implementation, it is essential to ensure that its central message is more effectively disseminated, especially among policy makers and the media.

19. Ministries primarily responsible for disability issues should ensure that the World Programme of Action reaches all bodies and agencies, including the business community, involved in designing people's daily environments.

20. Since public awareness is a vital driving force for policy changes, renewed efforts are needed to make the World Programme of Action more accessible to all. The accessibility can be improved by publishing the Programme in an attractive pamphlet form, written in jargon-free language and without distortion of the Programme's basic principles and recommendations. Special emphasis should be placed on the role of disabled people's organizations and the models of empowerment subsumed in the concept of independent living. The pamphlet should be presented to heads of State, with a request that it be translated into national languages and be used as a basis for a major media and public information campaign.

21. The shortened edition of the World Programme of Action should also be disseminated on a larger scale to the general public, schools and work places, primary health centres and other appropriate institutions and organizations. It should be distributed in accessible formats, including Braille, large print and audio-tapes to disabled people.

22. Efforts to increase awareness of disability issues and the objectives of the Decade could include several activities with high visibility, which are to be planned, financed and undertaken as joint efforts of both the public and private sector. Such activities may include, at the national level:

(a) Launching an annual awareness campaign to demonstrate the capabilities of disabled persons and explain the benefits of their full integration into society;

(b) Devoting a special session of the parliament and legislature to disability issues;

(c) Establishing, in close co-operation with non-governmental organizations, a national award or other expression of appreciation to be extended annually to individuals or organizations having outstandingly promoted the aims of the World Programme of Action.

23. All possible support should be given by the United Nations, Member States and members of the international community to the awareness and fund-raising campaign known as the "Global Project" to promote the aims of the United Nations Decade of Disabled Persons.

2. Second round of monitoring as an awareness campaign

24. The second round of monitoring the implementation of the World Programme of Action planned for 1993 should not be viewed merely as a technical data-collection exercise. It is meant to revitalize the awareness of Governments, international bodies and non-governmental organizations about the status of disabled persons and the need for effective action. It should also provide accurate facts and supplement existing data on disability compiled by the United Nations Statistical Office. Additionally, this exercise should provide a basis for establishing an international information network on disability in the United Nations Office at Vienna.

25. The second round of monitoring should be conducted within a framework that would actively involve Governments, United Nations bodies and non-governmental organizations, particularly disabled people's organizations.

26. In this context, each Member State should undertake, in close co-operation with its national co-ordinating mechanism, a national evaluation of the implementation of the World Programme of Action, with a view to rekindling the Decade's objectives. Member States could use this opportunity to review their plans, policies, legislation and programmes pertaining to disabled persons. Special attention is needed to be focused on the most vulnerable groups of disabled persons.

3. Dissemination of successful practices

27. The United Nations should produce a major system-wide publication containing an account of examples of successful policies, programmes and projects that have

been developed during the Decade. It would reflect the concerted effort of the United Nations system in the disability field, especially through its technical co-operation activities.

C. Aiming at a society for all by the year 2010

28. Disability concerns cannot be solved in isolation from the general social concerns of societies and the overall social responsibilities of national Governments. Attention should therefore be given to the concerns discussed below.

1. Integrating the needs and concerns of disabled persons into the planning process

29. Full integration of disabled persons should take into account needs, interests and concerns as well as rights of all citizens. Planners and decision-makers should be able to adjust or accommodate, in an early stage, their planning formulae to take into account the needs and concerns of people with disabilities.

30. At national level, efforts to integrate the needs and concerns of disabled persons call for:

(a) Promoting an integrated and interdisciplinary approach;

(b) Reviewing existing programmes and legislation to ensure that people with disabilities are provided rehabilitation, required services, education and training, employment, equipment and technical aids;

(c) Establishing a mechanism that would ensure recognition and implementation of the World Programme of Action and United Nations guidelines and manuals by relevant governmental and non-governmental bodies, including the business community, that are involved in planning the human environment.

31. At the regional level, the following steps should be considered for the integration of disability issues into the regular work programme of the United Nations regional commissions:

(a) To establish and strengthen a focal unit on disability within social development divisions;

(b) To strengthen collaboration among United Nations bodies having offices at the site of each regional commission and co-ordinate programmes in the social field.

32. At the global level, the organizations of the United Nations system should consider the following measures:

(a) To review how disability issues and the special needs of disabled persons are integrated in their policies, programmes and projects, and to submit a comprehensive report thereon to the Secretary-General;

(b) To establish a mechanism to ensure that the World Programme of Action, the guidelines and manuals prepared by the United Nations be fully implemented in their field operations.

2. From a care-taking approach to independent living

33. Full integration of disabled persons into society is made possible by refocusing policies, programmes and projects from care-taking to independence. In this exercise, disabled people should be considered a vital resource for development.

34. When disability issues are considered, institutional and patronizing approaches seem to be common. Freedom to make one's own choices should be recognized as a basic right of disabled people.

35. A prerequisite for self-reliance is a guaranteed income as an alternative to charity. Increased efforts should be made to create work opportunities for disabled persons and encourage their engagement in income-generating activities.

36. Additionally, the possibility of establishing facilities to provide interest-free loans to enable disabled persons to establish their own businesses, and develop co-operatives and self-employment schemes should be considered. In this context, the feasibility of establishing an international development fund may be explored.

37. United Nations bodies should examine their employment policies and develop an affirmative action plan to improve employment opportunities for people with disabilities.

38. The Tallinn Guidelines for Action on Human Resources Development in the Field of Disability (General Assembly resolution 44/70, annex) provide a valuable insight on redirecting the focus from disabilities to the abilities of people with functional limitations.

3. Improving the conceptual framework

39. Efforts to equalize the opportunities of persons with disabilities and enable them to realize their own aspirations as full members of society still encounter deeply-rooted prejudices. These are often founded on limited knowledge and stereotypes. Ongoing efforts to revise the International Classification of Impairments, Disabilities and Handicaps may result in a more adequate conceptualization of handicaps, thereby reflecting the role of external barriers as a source of disadvantages.

40. In order to facilitate the elaboration of concepts, an international expert meeting on definitions and concepts related to disability should be organized by 1992 on the understanding that a host country would offer all facilities for such a meeting.

4. Strengthening national co-ordinating mechanisms

41. One of the key elements for the success of the International Year of Disabled Persons in 1981 was the vital role played by national co-ordinating committees, of which there were 147. At the mid-point of the Decade only 70 remained. The lack or the weakening of focal points for co-ordinating activities has undoubtedly been one of the main obstacles to implementing the World Programme of Action at the national level.

42. National co-ordinating committees should provide an institutional framework for multidisciplinary and multisectoral approaches in designing national policies. Member States should be called upon to establish and strengthen such mechanisms on disability in line with the Secretary-General's letter to Governments of 15 May 1989.

43. In order to reflect the needs of disabled persons, the committees should have an adequate representation of disabled people. The national co-ordinating committees should report directly to the highest governmental level. Additionally, they should be provided with adequate resources and autonomy to fulfil their tasks as both advisory and co-ordinating bodies.

5. Comprehensive legislation to guarantee the rights of disabled persons

44. The equalization of opportunities is ultimately the responsibility of national Governments. To implement the World Programme of Action, it is necessary for Member States to create, through legislation, the legal basis and authority.

45. Governments should therefore be invited:

(a) To promote legislation in support of full participation and integration of persons with disabilities into society, thus eliminating all forms of discrimination against them, and to co-operate with the United Nations Office at Vienna in its preparation of a manual on national disability legislation in developing countries;

(b) To ratify and implement, if they have not already done so, the following specific international legal instruments directly related to disability: (a) International Covenants on Human Rights (Assembly resolution 2200 A (XXI); (b) Convention on the Elimination of All Forms of Discrimination Against Women (resolution 34/180, annex); (c) Convention on the Rights of the Child (resolution 44/25, annex); (d) ILO Convention No. 159 on the Vocational Rehabilitation and Employment of Disabled Persons and Recommendation No. 168; and (e) Florence Agreement and its Protocol on the importation of educational, scientific and cultural materials.

46. Governments should be encouraged to consider appointing an ombudsman or designating a focal point to which complaints on violation of disabled people's rights could be directed.

47. At the international level, the initiative already taken to elaborate a legal instrument concerning the rights of disabled persons should be supported. It should be noted that the Economic and Social Council, at its first regular session of 1990, authorized the Commission for Social Development to consider, at its thirty-second session, the establishment of an ad hoc open-ended working group of government experts, funded by voluntary contributions, to elaborate standard rules on the equalization of opportunities for disabled youth and adults. The Commission should be requested to finalize the text of those rules for consideration by the Council at its first regular session of 1993 for its submission to the General Assembly at its forty-eighth session.

6. Focus on grass-roots level action

48. Wide differences exist among regions and countries in the status of disabled persons. To be more effective, the World Programme of Action and the implementation thereof should be adapted to the social, economic, political, cultural and technological realities of each region, country and community.

49. Design of action plans should begin at the grass-roots level, with guidance from appropriate agencies. The mobilization of local expertise and locally available resources should form the foundations of realistic planning. In the adaption of the World Programme of Action to local conditions, its general principles should be fully observed.

50. Community-based activities have been successful in reaching disabled people, the majority of whom are living in rural communities. Community-based approaches should be recognized as alternatives, whenever appropriate, to the institution-centred approach, as the latter method of caring for disabled persons has proved unsustainable in large parts of the world.

51. Developing small-scale decentralized activities in the field of rehabilitation and equalization of opportunities for disabled persons should therefore be given more support.

D. Promoting the involvement of disabled persons and their organizations

52. Awareness-raising efforts in many countries have been very effective and resulted in action benefiting disabled persons. Such achievements are not directly related to the level of economic development, but rather to the strength of disabled people's organizations. Those organizations have emerged as a result of the efforts and demands of disabled persons themselves.

53. Organizations of disabled persons should not be considered as pressure groups alone; they should be considered a valuable resource for national development.

54. Persons with disabilities or those with extensive personal experience of disability should be consulted in identifying obstacles to self-reliance.

Expertise on how those obstacles could be removed or avoided by planning barrier-free environments can often be found in disabled people's organizations. This resource should be fully utilized by involving these organizations in the planning process.

55. In order to improve the opportunities of disabled persons and their organizations to participate in decision-making, particularly in matters immediately concerning them, the following measures should be taken:

(a) To develop and strengthen existing organizations of disabled persons, both at the national and international levels;

(b) To design mechanisms that would allow direct representation of disabled persons and their organizations in decision-making processes. Intergovernmental bodies should be encouraged to consult the international organizations of disabled people. Guidelines on consultations between the United Nations and disabled peoples' organizations should be prepared on the basis of the relevant rules set by the General Assembly and the Economic and Social Council.

56. Governments should increase their efforts to ensure access of disabled persons to buildings, meetings and information.

57. The United Nations should be a model in conforming with the spirit of the World Programme of Action and in implementing guidelines on accessibility. A step-by-step programme is needed to be designed to make buildings, including conference rooms, barrier-free. Furthermore, disabled people should have access to all relevant information and documents.

58. Member States are called upon to co-operate closely with the United Nations Office at Vienna in its efforts to strengthen national disabled persons organizations.

E. Groups in need of special attention

59. Certain groups of people with disabilities have been particularly affected and continue to be discriminated against, even in countries with most advanced disability policies. They include, in particular, the following:

(a) Deaf people, as their needs during the Decade were largely overlooked;

(b) Persons with multiple disabilities, such as the deaf-blind, because of the special arrangements needed to enable them to live independent lives;

(c) Mentally disabled persons, because their rights tend to be undermined;

(d) Disabled women, because of the double disadvantage they encounter by virtue of being both female and disabled;

(e) Disabled children, in order to prevent future generations from becoming marginalized from the very beginning of their lives.

60. Priority should be given to adopting policies and legislation to reduce obstacles encountered by specific groups with disabilities in their efforts towards self-determination.

61. The following activities are therefore suggested:

(a) Incorporating in studies, policies, programmes and projects the special needs of disabled women and children, deaf persons and people with mental or multiple disabilities;

(b) Developing special support services for such specific groups to lower the risk of their being deprived of services and opportunities available to others.

62. On the basis of the foregoing, the United Nations, in collaboration with the World Federation of the Deaf, should support a project for the development of a model programme of applied research and training for indigenous sign languages in developing countries.

F. Improving the status of disabled persons in developing countries

63. Improving the living conditions of disabled persons is particularly difficult in those developing countries which encounter severe economic constraints, induced by heavy external indebtedness and the adverse social consequences of economic adjustment programmes. As a result, basic needs are often not even met and the social dimension of development is too often given low priority. Disabled persons, having limited access to adequate income-generating activities in a competitive market, are particularly affected by cuts in social programmes.

64. However, considerable progress can be made, at a relatively low cost, to improve opportunities and the status of disabled persons. When public resources are scarce, the mobilization of community resources and the resources of disabled persons themselves assume special importance.

65. Integrated approaches to disability should be developed to substitute for special service models in all parts of the world regardless the level of economic development. In developing countries, such approaches would include using primary health care resources for prevention and medical rehabilitation, locally produced technical aids and integrated schools and promoting co-operatives of disabled persons and creating self-employment opportunities.

66. Governments should be requested to take the following measures:

(a) To review technical co-operation programmes of all sectors to ensure that disability issues are adequately recognized and taken into account in the planning and implementation process;

(b) Give a higher priority to disability issues in development and international co-operation policies, as stipulated in the World Programme of Action.

67. At the international level, the United Nations should integrate specific components that address the needs of disabled persons, both in less developed and in other countries in need of special assistance, into social and economic programmes within the context of the international development strategy for the fourth United Nations development decade.

G. Alternative ways to mark the end of the Decade and to ensure continuation of implementation of the World Programme of Action beyond 1992

68. Many of the suggestions received concerning alternative ways to mark the end of the Decade have emphasized the need to ensure the continuation of the implementation of the World Programme of Action.

69. United Nations bodies should be invited to develop an agenda for action for the period 1990-1993, in their respective area of work as it relates to disability.

70. Several intergovernmental and non-governmental organizations have indicated that they are planning major international meetings in 1992 to mark the end of the Decade. Full support to these activities should be given by Member States. In view of the concentration of these events in 1992, it is suggested that major global end-Decade observances by the Secretariat should be postponed to 1993.

71. Most events scheduled for 1992 are substantive in nature. A ministerial-level world conference should be scheduled for 1993 and should have a political agenda to ensure that the Decade ends on a note of sustained political commitment by Member States.

72. Should extrabudgetary resources be available, the appointment of a Secretary-General or chairman for the proposed conference, who could be a disabled person, should be considered.

73. In order to reflect adequately the differences and varying options between regions, preparatory activities relevant to the proposed conference should be undertaken by the five United Nations regional commissions in co-operation with other concerned regional organizations.

74. The purpose of the conference should be to adopt a long-term strategy to the year 2000 and beyond with the objective of reaching "A society for all by the year 2010".

75. The Decade of Disabled Persons has been a decade of sensitization and awareness-raising. In order to convert awareness-raising into action, much additional effort is required. This calls for a forward-looking review of present national and international policies and programmes. A long-term strategy should, therefore, be formulated and based on a renewed international consensus and political commitment.

76. An institutional framework for the implementation of a long-term strategy, following the current Decade, should be designed, either as a second decade of disabled persons, or as an extension of the first Decade.

IV. A PRELIMINARY OUTLINE OF A LONG-TERM STRATEGY TO THE YEAR 2000 AND BEYOND: A SOCIETY FOR ALL

77. The World Programme of Action adopted in 1982 provides an essential instrument for the forward movement and continued progress of disabled persons. It serves as a guiding philosophy for action now and in the years ahead. It does not necessarily call for replacement by a new action plan. The mid-term analysis of progress achieved and obstacles encountered during the Decade has clearly indicated, however, the need for the formulation of priorities, identification of crucial areas of concentration as well as elaboration of appropriate measures and provision of specific guidelines for new efforts. A long-term strategy would then comprise a new set of practical objectives designed both to secure and to strengthen progress already attained and also to speed up advancement of disabled persons in all aspects of political, social, cultural and economic life. The theme of such a long-term strategy would be "A society for all".

78. It is anticipated that the task of preparing a detailed strategy would be entrusted to an appropriate intergovernmental body, to be subsequently finalized by the proposed ministerial-level world conference in 1993. The following is a preliminary outline of such a strategy.

A. General considerations

79. The framework of the strategy should be based on the changing economic and social situation and political realities.

80. Major international concerns such as violation of human rights, poverty, malnutrition, unemployment, illiteracy, debt crisis, environmental pollution, armed conflicts, and their implications on disabled people should be duly taken into account.

81. In identifying specific issues, careful consideration should be given to the mid-term review of the implementation of the World Programme of Action concerning Disabled Persons carried out in 1987, as well as to the monitoring exercise to be completed in 1992.

82. The strategy should be based on the priority themes of equalization of opportunities, full recognition of the rights of disabled persons, and independent living.

83. The philosophy of self-advocacy and self-determination has to be constantly emphasized and pursued through practical action.

84. Emphasis should be placed on the following measures:

(a) Designing and implementing programmes that would enhance the positive changes that have already taken place as a result of the Decade and would bring about full integration of disabled persons into their societies;

(b) Formulating innovative measures for effective implementation of the World Programme of Action, including those which could not be realized during the Decade;

(c) Developing innovative approaches to take advantage of the new developments in science and technology;

(d) Prescribing effective solutions to obstacles encountered in the follow-up to the World Programme of Action;

(e) Launching a vigorous programme of technical co-operation and international assistance to developing countries.

B. Proposed structure of the long-term strategy

85. The proposed long-term strategy would consist of the following four sections: introduction; global trends and perspectives that affect the advancement of disabled persons; national strategies and their implementation; and regional and international strategies.

86. The purpose of the section on global trends and perspectives that affect disabled persons would be to anchor the proposed strategies of implementation in the realities of the world, to provide an objective background of socio-economic trends, both past and prospective, and to highlight the various existing approaches to socio-economic development and change.

87. The section on national strategies would contain proposals on specific methods and measures for implementation to accelerate progress towards the goals and objectives of the World Programme of Action. Such national strategies would be aimed at confirming and consolidating the goals already achieved so that they might be translated into policies and programmes. These would be both in areas in which progress has been slow and in areas of priority identified in the course of the preparations for the proposed conference.

88. The proposals would draw upon both the positive and negative lessons of the past. Thus, the measures and approaches taken during the Decade that did not prove successful or that encountered major obstacles would be adapted or replaced, while those that showed a measure of usefulness and success would be strengthened and further adjusted to the conditions of the future. Those measures that were deemed truly effective would be reiterated as examples to be followed and adjusted according to the special circumstances in each country. In addition, new methods of implementation would be proposed to accelerate progress.

89. The strategy to be proposed would aim at increasing and enhancing the participation of disabled persons in society, both as the agents of change and beneficiaries. This would also aim at ensuring that plans, programmes and projects

are formulated and implemented with this objective in mind. The strategy would address the action to be taken at all levels.

90. Strengthening co-ordinating mechanisms or procedures at the national level would be elaborated. The achievements of participation and equalization in terms of a change of attitudes concerning the role of disabled persons in society would also be emphasized.

91. In all sectoral areas identified, importance would be given to improved planning, monitoring, strengthening co-ordination and communication to ensure that development policy, planning and implementation respond to the needs and circumstances of disabled persons in all facets of the development process.

92. The section on regional and international strategies would propose essential mechanisms for progress, which would include monitoring the implementation of the World Programme of Action, review and appraisal, technical co-operation and co-ordination among institutions and organizations.

Notes

1/ The report of the Meeting of Experts on Alternative Ways to Mark the End of the United Nations Decade of Disabled Persons, Järvenpää, Finland, 7 to 11 May 1990, is available upon request.